

## REMARKS

- Claims 1 – 48 are currently pending;
- Upon entry of this Amendment (which is respectfully requested), claims 1 – 48 will be cancelled without prejudice or disclaimer and claims 49 – 69 will be added;
- The newly added claims are supported by the specification as filed (e.g., at paragraphs 373, 381 – 384 and 390 – 392).

1. Claim Rejections – 35 USC §103

Claims 2 – 10, 34 – 40 and 43 – 48 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,749,510 to Giobbi (“Giobbi” herein) in view of U.S. Patent Publication No. 2002/0071557 to Nguyen (“Nguyen” herein).

Claims 18 – 33, 41 and 42 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Giobbi in view of Nguyen and further in view of U.S. Patent No. 5,257,179 to DeMar (“DeMar” herein).

These rejections are moot in view of the new claims.

Applicants respectfully submit that the none of the references of record, alone or in combination, teach or suggest the following limitations of the new claims as follows:

With respect to independent claim 49 (and claims 50 – 58, dependent therefrom and thus including the same limitations):

*prior to allowing play of a wagering game including a particular feature and via a processor of a device operable to facilitate the wagering game, determining whether an authorization code for enabling play of the wagering game with the particular feature has been received from a regulatory authority; verifying, via the processor, an expiration condition for the authorization code; and*

*only if the expiration condition has not yet been met, allowing play of the wagering game with the particular feature*

With respect to claim **59** (and dependent claims **60 – 68**, which include each of these limitations by virtue of their dependency):

*prior to allowing play of a wagering game on a particular gaming device, determining via a processor of a device operable to facilitate the wagering game whether an authorization code for enabling play of the wagering game on the particular gaming device has been received from a regulatory authority;*

*verifying, via the processor, an expiration condition for the authorization code; and*

*only if the expiration condition has not yet been met, allowing play of the wagering game on the particular gaming device*

With respect to independent claim **60**:

*determining, via a processor of a computing device, that a wagering game has been mandated by a regulatory authority to only be played while a specified feature is enabled;*

*receiving an authorization code from a gaming operator operating the wagering game, the authorization code indicating whether the wagering game has only been allowed to be played while the feature was enabled; and*

*verifying, by a processor and by decrypting the authorization code, that the wagering game has only been allowed to be played while the feature was enabled.*

Applicants silence with respect to the Office's other various assertions not explicitly addressed in this paper, including assertions of (1) what the cited reference(s) teach or suggest, (2) the Office's interpretation of claimed subject matter or the Specification, (3) the obviousness or propriety of any asserted combination(s) of teachings, and (4) assertions of what knowledge was generally known in the art at the time of invention, is not to be understood as agreement with the Office. Also, the absence of arguments for patentability other than those presented in this paper should not

be construed as either a disclaimer of such arguments or as an indication that such arguments are not believed to be meritorious.

### **Conclusion**

At least for the foregoing reasons, it is submitted that all claims are now in condition for allowance, or in better form for appeal, and the Examiner's early re-examination and reconsideration are respectfully requested.

Alternatively, if there remain any questions regarding the present application or the cited reference, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is cordially requested to contact Magdalena M. Fincham via the contact information provided below.

### **Authorization to Charge Fees**

Applicants believe that a three month extension of time is required to make this Amendment and Response timely. Accordingly, please grant a petition for a three month extension of time necessary to make this submission timely. Additionally, please charge any fees required for this submission, including a three month extension of time fee as follows:

Deposit Account: 50-0271

Order No. 02-034

Charge any additional fees or credit any overpayment to the same account.

Respectfully submitted,

January 13, 2010

Date

/Magdalena M. Fincham, 46,085/

Magdalena M. Fincham  
Attorney for Applicants  
Registration No. 46,085  
mfincham@walkerdigital.com  
(203) 461-7041/ voice  
(203) 461-7300/fax